

1646

PATENT  
ATTORNEY DOCKET NO.: REGEN1260-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tsien et al. Art Unit: 1646  
Application No.: 10/057,505 Examiner: H.A. Robinson  
Filed: January 25, 2002 Conf. No.:  
Title: TANDEM FLUORESCENT PROTEIN CONSTRUCTS

**Mail Stop NON-FEE AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL SHEET**

Sir:

Transmitted herewith for the above-identified application please find:

1. Response to the Office Communication for Restriction mailed February 11, 2004 (2 pages); and
2. Return Receipt Postcard.

| CERTIFICATION UNDER 37 CFR §1.8  |                          |
|--|--------------------------|
| I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, March 10, 2004, in an envelope addressed to: Mail Stop NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |                          |
| Aldon Griffis<br>(Name of Person Mailing Paper)  |                          |
| Aldon Griffis<br>(Signature)   | March 10, 2004<br>(Date) |

In the Application of:

Tsien et al.

Application No.: 10/057,385

Filed: January 25, 2002

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PATENT

Attorney Docket No. REGEN1260-3

The Fee for this Response is calculated as follows:

| For                   | Claims Remaining<br>After Amendment | Highest Number<br>Previously Paid For | Extra<br>Claims | Small Entity<br>Rate | Large Entity Rate | Calculations |
|-----------------------|-------------------------------------|---------------------------------------|-----------------|----------------------|-------------------|--------------|
| Total Claims          | 5                                   | 22                                    | 0               | x \$09               | x \$18            | \$ .00       |
| Independent<br>Claims | 2                                   | 9                                     | 0               | x \$43               | x \$86            | \$ .00       |
| Multiple Claims       |                                     |                                       |                 | \$145                | \$290             | \$ .00       |
| Basic Filing Fee      |                                     |                                       |                 | \$385                | \$770             | \$ .00       |
|                       |                                     |                                       |                 |                      | TOTAL FEE         | \$ .00       |

No fee is deemed necessary in connection with the filing of this paper. However, if a fee is required, the Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: March 10, 2004

A handwritten signature in cursive script, reading "Lisa A. Haile".

Lisa A. Haile, J.D., Ph.D.

Registration No. 38,347

Telephone: (858) 677-1456

Facsimile: (858) 677-1465

**USPTO Customer Number 28213**

**GRAY CARY WARE & FREIDENRICH LLP**

4365 Executive Drive, Suite 1100

San Diego, CA 92121-2133



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ATTORNEY DOCKET NO. REGEN1260-3

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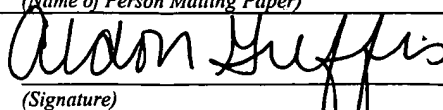
**Mail Stop NON-FEE AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE COMMUNICATION FOR RESTRICTION**

Sir:

In response to the Office Communication mailed February 11, 2004, Applicant elects Group I,  
consisting of Claims 58-61 and 76 drawn to a tandem fluorescent protein construct, with traverse.

| CERTIFICATION UNDER 37 CFR §1.8  |                          |
|--|--------------------------|
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| Aldon Griffis<br>(Name of Person Mailing Paper)  |                          |
| <br>(Signature)  | March 10, 2004<br>(Date) |

In re Application of:  
Tsien et al.  
Application No.: 10/057,505  
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The Examiner is invited to contact Applicants' undersigned representative if there are any questions relating to this application.

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Respectfully submitted,

Date: March 10, 2004



Lisa A. Haile, J.D., Ph.D.  
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